

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

SURAFEL H. SOLOMON	§	
VS.	§	CIVIL ACTION NO. 1:24cv109
SHERIFF, JEFFERSON COUNTY	§	

ORDER OVERRULING OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Petitioner Surafel H. Solomon, proceeding *pro se*, filed the above-styled petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Court previously referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, for consideration pursuant to applicable orders of this Court. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that this petition be dismissed without prejudice for failure to exhaust state habeas remedies.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. Petitioner filed objections to the Report and Recommendation. The Court must therefore conduct a *de novo* review of the objections in relation to the pleadings and the applicable law.

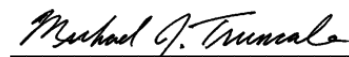
Petitioner is a pretrial detainee in Jefferson County, Texas. He asserts his detention is unconstitutional. The Magistrate Judge recommended the petition be dismissed based on petitioner's failure to present his grounds for review to the Texas Court of Criminal Appeals, the highest state court with respect to criminal matters.

In his objections, petitioner continues to argue that his pretrial detention violates the Constitution. However, he does not assert he has presented his grounds for review to the Court of Criminal Appeals. As exhaustion of grounds for review in the state courts is required before a federal court may consider petitioner's claims, *Dickerson v. Louisiana*, 816 F.2d 220, 225 (5th Cir. 1987), the Court is of the opinion petitioner's objections are without merit.

ORDER

Accordingly, petitioner's objections [Dkt. 5] are OVERRULED. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge [Dkt. 4] is ADOPTED. A final judgment will be entered in accordance with the recommendation of the Magistrate Judge.

**SIGNED** this 20th day of November, 2024.

A handwritten signature in black ink, reading "Michael J. Truncale", is positioned above a horizontal line.

Michael J. Truncale  
United States District Judge